

1 [CONDEMNING U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT FOR THEIR
2 CRIMES AGAINST HUMANITY]

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4 **Resolution to condemn the crimes against humanity perpetrated by United States**
5 **Immigration and Customs Enforcement (ICE) against immigrants and their families**

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7 WHEREAS, the Homeland Security Act of 2002 established the U.S. Immigration and
8 Customs Enforcement (ICE) as a federal law enforcement agency tasked with enforcing our
9 nation’s immigration laws under the purview of the U.S. Department of Homeland Security,
10 replacing the Immigration and Naturalization Service (INS) within the U.S. Department of
11 Justice; and

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13 WHEREAS, ICE’s annual budget has almost tripled from \$3.3 billion in 2003 to \$8.4
14 billion today, with much of that funding aimed at increasing the agency’s ability to hold
15 immigrants in detention facilities; thus, cementing immigration as one of the highest priorities
16 of federal law enforcement such that half of all federal prosecutions are for so-called
17 immigration-related “crimes”; and

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19 WHEREAS, ICE has had a troubled history and in the past few years, has implemented
20 cruel and inhumane policies and actions against immigrants seeking safety and refuge; and

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22 WHEREAS, within one week of taking office, President Trump signed a number of
23 executive orders granting ICE broader authority to detain unauthorized immigrants, including
24 those without criminal records, and giving individual immigration officers the discretion to

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1 decide who should be detained for deportation, leading to a 30% increase in arrests that
2 continued into 2018; and

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4 WHEREAS, the administration officially announced a “zero tolerance” policy in May
5 2018 (with the “pilot program” beginning in July 2017) dictating that all migrants who cross the
6 U.S. border without permission, including those seeking asylum, be referred to the
7 Department of Justice for prosecution, resulting in children, including infants and toddlers,
8 being forcefully separated from their parents and placed in cages without proper sanitation
9 and care, causing a family separation crisis that subjected the U.S. to international scorn and
10 condemnation; and

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12 WHEREAS, the Department of Homeland Security’s tracking systems are flawed, and
13 the official government count of children separated from their parents or guardians under the
14 family separation policy as of February 2020 is at least 5,510, inflicting lasting generational
15 trauma as many children have yet to be reunited with their parents. Advocates believe that the
16 total number of separated children exceeds the government count and as of October 2020,
17 the parents of at least 545 children have still not been found; and

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19 WHEREAS, the federal government received 4,556 complaints about the sexual abuse
20 of immigrant children held in government-funded detention facilities from October 2014 to July
21 2018, with an increase in complaints while the current administration’s “zero tolerance” policy
22 of separating migrant families at the border was in place; and

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24 WHEREAS, over the past few years, the current administration has continually
25 threatened to deport millions of immigrants, striking fear into communities over imminent

1 raids, and making apparent good on these threats such as authorizing the largest single-state
2 workplace enforcement raid in U.S. history on August 7, 2019 at seven food processing plants
3 in Mississippi. This operation resulted in the arrest of 680 undocumented workers (and
4 parents) on the first day of school, prompting the mayor of Jackson to condemn this action as
5 a “gross display of humanity”; and
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7 WHEREAS, ICE’s systematic failures to provide adequate health care to the human
8 beings under their care and custody prompted the U.S. House of Representatives Committee
9 on Oversight and Reform and the Subcommittee on Civil Rights and Civil Liberties to launch
10 an investigation into the Trump administration’s mistreatment of detained immigrants,
11 concluding in a September 2020 report that in-custody deaths were due to medical neglect
12 and that ICE has failed to publicly release investigative reports on these deaths. Although this
13 has been required by federal law since 2018, ICE has not complied with requirements to
14 report deaths that have occurred since that time; and
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16 WHEREAS, fiscal year 2020 has been the deadliest year since 2005 for immigrants in
17 ICE custody, with 21 deaths as of September 2020; and
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19 WHEREAS, while the COVID-19 pandemic has significantly altered life as we once
20 knew it since March 2020, ICE has completely failed to mitigate the virus spread, allowing the
21 disease to ravage detention facilities, with at least 3,917 positive cases since August 2020,
22 causing the American Civil Liberties Union to file more than 50 lawsuits and securing the
23 release of 525 people; and
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1 WHEREAS, the following human beings perished in ICE custody from complications of
2 COVID-19, may they rest in peace: Romien Jally (56), Cipriano Chavez-Alvarez (61),
3 Fernando Sabonger-Garcia (50), Jose Guillen-Vega (70), James Thomas Hill (72), Onoval
4 Perez-Montufa (51), Santiago Baten-Oxlaj (34), Oscar Lopez Acosta (40), and Carlos Ernesto
5 Escobar-Mejia (57); and

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7 WHEREAS, Chuong Won Ahn, a 74-year-old South Korean man in detention with
8 serious pre-existing health problems that placed him in the high-risk category for COVID-19,
9 died by suicide on May 17, 2020 after repeated urgent pleas by his attorneys for release were
10 rejected by ICE; and

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12 WHEREAS, Dawn Wooten, a licensed practical nurse who was previously employed at
13 Irwin County Detention Center in Georgia, filed a whistleblower complaint with the Office of
14 the Inspector General in September 2020, reporting that she had witnessed the forced mass
15 sterilization of migrant women in custody; and

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17 WHEREAS, Mahendra Amin, the physician accused of performing the unwanted and
18 unnecessary hysterectomies, is not certified by the American Board of Obstetrics and
19 Gynecology, and was openly referred to as the “uterus collector”; and

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21 WHEREAS, it is clear that ICE has been given broad authority by the administration
22 with little oversight to perpetuate crimes against humanity on U.S. soil against the world’s
23 most marginalized, and ICE must be held accountable for allowing inhumane treatment,
24 deplorable living conditions, medical neglect, separation of families, and the denial of liberty
25 and access to legal assistance upon which a free and fair society was founded; now therefore

1 BE IT RESOLVED, that the San Francisco Immigrant Rights Commission
2 acknowledges that words cannot ever adequately convey the injustices committed against
3 those seeking freedom and safety, and that we condemn in the strongest possible terms the
4 government sanctioned mistreatment of detained immigrants and the separation of young
5 children from their parents; and

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7 BE IT FURTHER RESOLVED, that the San Francisco Immigrant Rights Commission
8 plans to hold a public hearing and community roundtable by early 2021 to discuss fair and
9 humane policies that assist vulnerable immigrants, including the future of ICE as a federal
10 agency; and

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12 BE IT FURTHER RESOLVED, that the San Francisco Immigrant Rights Commission
13 asks the Board of Supervisors and the Mayor’s Office to support comprehensive immigration
14 reform and to uphold our values of decency and respect for human dignity; the San Francisco
15 Immigrant Rights Commission urges the Board of Supervisors and the Mayor to call upon
16 local, state and federal elected leaders to champion a humane, compassionate approach to
17 immigration reform that includes keeping families together and pathways to citizenship for all.

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